

**BLAKELY  
SOKOLOFF  
TAYLOR &  
ZAFMAN**  
A LIMITED LIABILITY  
PARTNERSHIP INCLUDING  
LAW CORPORATIONS

1279 OAKMEAD PARKWAY  
SUNNYVALE, CALIFORNIA 94085  
(408) 720-8300 (Telephone)  
(408) 720-8383 (Facsimile)

RECEIVED  
CENTRAL FAX CENTER  
JAN 19 2005

**FACSIMILE TRANSMITTAL SHEET**

Deliver to: Examiner Julie Bichngoc Lieu, Art Unit 2636  
Firm Name: U.S. Patent & Trademark Office  
Fax Number: 703-872-9315  
From: John P. Ward Operator: Anne Collette  
Date: January 19, 2005  
App. No.: 09/783,718  
No. of pages: 12 (including cover sheet)  
Client/Matter: 42390P12236C2 Docket Date: N/A Atty: GBC

Dear Examiner:

Please find the following document(s) attached:

- 1) Transmittal Form (1 page)
- 2) Amendment Under 37 CFR 1.312 (10 pages)

Thank you.

| CERTIFICATE OF TRANSMISSION   |                               |
|---|-------------------------------|
| I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below. |                               |
| By: <u>Anne Collette</u><br>Anne Collette   | Date: <u>January 19, 2005</u> |

**CONFIDENTIALITY NOTE**

The documents accompanying this facsimile transmission contain information from the law firm of Blakely Sokoloff Taylor & Zafman that is confidential or privileged. The information is intended to be for the use of the individual or entity named on this transmission sheet. If you are not the intended recipient, be aware that any disclosure, copying, distribution, or use of the contents of this faxed information is prohibited. If you have received this facsimile in error, please notify us by telephone immediately so that we can arrange for the retrieval of the original documents at no cost to you.

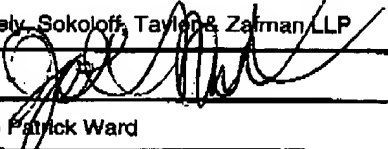
**IF YOU EXPERIENCE ANY DIFFICULTY IN RECEIVING THE ABOVE PAGES,  
PLEASE CALL (408) 720-8300 AND ASK FOR THE OPERATOR NAMED ABOVE.**


PTO/SB/21 (09-04)

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

|  |                      |   |
|--|----------------------|---|
| <b>TRANSMITTAL<br/>FORM</b>                              | Application Number   | 09/783,718                              |
|  | Filing Date          | February 14, 2001                       |
|  | First Named Inventor | Kurt R. Browning                        |
|  | Art Unit             | 2636                                    |
|  | Examiner Name        | Julie Bichngoc Lieu                     |
| (to be used for all correspondence after initial filing) |                      |   |
| Total Number of Pages in This Submission                 | 10                   | Attorney Docket Number<br>42390P12236C2 |

| ENCLOSURES (Check all that apply)   |  |   |
|---|--|---|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input checked="" type="checkbox"/> Amendment/Reply *<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Reply to Missing Parts/<br>Incomplete Application<br><input type="checkbox"/> Reply to Missing Parts<br>under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a<br>Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br>Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><input type="checkbox"/> Appeal Communication to Board<br>of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC<br>(Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input type="checkbox"/> Other Enclosure(s) (please identify<br>below): |
| Remarks<br>* An amendment under 37 CFR 1.312 is attached hereto.  |  |   |
| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT  |  |   |
| Firm Name   | Blakely, Sokoloff, Taylor & Zafman LLP   |   |
| Signature   |   |   |
| Printed name  | John Patrick Ward  |   |
| Date  | January 19, 2005   | Reg. No. 40,216   |

| CERTIFICATE OF TRANSMISSION/MAILING   |   |                       |
|---|---|-----------------------|
| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: |   |                       |
| Signature   |  |                       |
| Typed or printed name   | Anne Collette   | Date January 19, 2005 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450, DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

JAN 19 2005

Docket No. 42390P12236C2

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Kurt R. Browning

Serial No.: 09/783,718

Filed: February 14, 2001

For: SYSTEM AND METHOD FOR ACTIVE  
DETECTION OF A CONNECTION TO  
A NETWORK

Art Unit: 2636

Examiner: Julie Bichngoc Lieu

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450AMENDMENT UNDER 37 CFR 1.312

Dear Examiner:

In response to the Notice of Allowance mailed on November 9, 2004, applicant respectfully requests the Examiner to enter the following amendments and consider the following remarks.

## CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

By: Anne Collette  
Anne ColletteDate: January 19, 2005